

FILED DATE: 3/16/2020 10:59 AM 2020L003144

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DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL  
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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT, LAW DIVISION

LETICIA LOPEZ,

Plaintiff,

vs.

WALMART, INC.

Defendant.

No. 2020L003144

**COMPLAINT**

NOW COMES the Plaintiff, LETICIA LOPEZ, by and through her attorneys, CARY J. WINTROUB & ASSOCIATES and complaining of the Defendant, WALMART, INC. states as follows:

1. That on or about April 7, 2019, and for some time prior and subsequent thereto, the Defendant, WALMART, INC., was and remains a domestic corporation, transacting business in the State of Illinois, engaged in the business of operating, maintaining and providing general merchandise stores to the public.

2. That in connection with the operation of its business, the Defendant, WALMART, INC., herein owned, operated, managed, maintained and controlled and/or otherwise contracted to own, operate, manage, maintain and control the premises located at 7050 South Cicero Avenue, in the Village of Bedford Park, County of Cook and State of Illinois, together with the passages, areaways and appurtenances thereof and thereat.

3. That on or about April 7, 2019, the Plaintiff, LETICIA LOPEZ was legally and lawfully upon said premises, and more particularly, entered the store and went to retrieve a shopping cart upon the premises.

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4. That on or about April 7, 2019, the Plaintiff, LETICIA LOPEZ was caused to slip and fall as a result of a loose buckle which was present on the floor of the premises, at or near the area where the shopping carts were gathered and stored for customer use.

5. That it was then and there the duty of the Defendant, WALMART, INC., to exercise reasonable care and caution in and about the ownership, operation, management, maintenance and control of said premises, and the passages, areaways and appurtenances thereof and thereat, so that same would be in a good, safe and proper condition for persons legally and lawfully in and upon said premises, to be, use, occupy and walk upon, and so as not to cause harm and injury to such persons.

6. That the Defendant, WALMART, INC., negligently and carelessly breached said duty in one or more of the following ways:

- (a) Improperly operated, managed, maintained and controlled said premises, and the passages, areaways and appurtenances thereof and thereat, so that as a direct result thereof, the Plaintiff, LETICIA LOPEZ was injured;
- (b) Failed to provide a good, safe and proper place for the Plaintiff, LETICIA LOPEZ, to be, use, occupy and walk upon while on said premises;
- (c) Allowed and permitted a buckle to detach from a shopping cart and rest upon the floor, despite the slip and fall danger that it posed to shoppers, including to the Plaintiff, LETICIA LOPEZ;
- (d) Failed to remedy the unsafe, dangerous and hazardous condition of the floor, in allowing/permitting a buckle to rest upon the floor, when it knew or should have known that same posed a slip and fall danger to customers;
- (e) Failed to inspect said premises to be certain same was in good, safe and proper condition;
- (f) Failed to warn the Plaintiff, LETICIA LOPEZ and others, of the buckle upon the floor, in order to prevent a slip and fall incident from occurring; and/or
- (g) Was otherwise careless and/or negligent in the operation, management, maintenance and/or control of said premises.

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7. That as a direct and proximate result of one or more of the aforesaid acts and/or omissions on the part of the Defendant, WALMART, INC., the Plaintiff, LETICIA LOPEZ, suffered and will, in the future, suffer injuries of a personal, permanent and pecuniary nature.

WHEREFORE, the Plaintiff, LETICIA LOPEZ, prays for the entry of judgment against the Defendant, WALMART INC., in an amount in excess of FIFTY THOUSAND AND 00/100TH (\$50,000.00) DOLLARS, plus costs of this suit.

CARY J. WINTROUB & ASSOCIATES

By: \_\_\_\_\_

  
Cary J. Wintroub

Attorney I.D. #: 44667  
CARY J. WINTROUB & ASSOCIATES  
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**AFFIDAVIT OF DAMAGES**

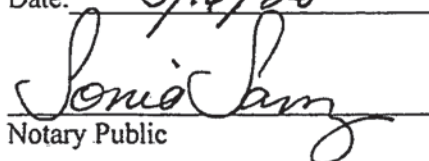
**SUPREME COURT RULE 222**

The undersigned being first duly sworn upon oath, deposes and states that he is the attorney for the plaintiff in the above entitled cause of action seeking money damages, and states that this cause of action **DOES** exceed \$50,000.00.

CARY J. WINTROUB & ASSOCIATES

BY:   
Attorneys for Plaintiff

Subscribed and Sworn to before me

Date: 3/16/20  
  
Notary Public



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